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14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**

16 RICHARD L. CHANG,

17 Plaintiff,

18 v.

19 ZHENG TAO HAN, an individual; CHI-MING
20 WU a/k/a/ FRED WU, an individual;
21 BIOSUCCESS BIOTECH, CO., LTD., a Cayman
22 Islands corporation; BIOSUCCESS BIOTECH,
23 CO., LTD., a Nevada corporation, and DOES 1
24 through 50, inclusive.

25 Defendants.

26 Case No.: 5:14-CV-00426-EJD

27 **[PROPOSED] ORDER GRANTING**

28 **DEFENDANTS' EX PARTE MOTION
FOR ORDER SETTING BRIEFING
SCHEDULE ON PLAINTIFF'S
MOTION TO DISMISS
COUNTERCLAIMS [Dkt No. 35] IN
LIGHT OF THE JUNE 6, 2014
HEARING ON MOTION TO
TRANSFER VENUE TO THE
CENTRAL DISTRICT OF
CALIFORNIA**

**[PROPOSED] ORDER GRANTING
DEFENDANTS' *EX PARTE* MOTION FOR ORDER SETTING BRIEFING SCHEDULE
ON PLAINTIFF'S MOTION TO DISMISS COUNTERCLAIMS [Dkt No. 35] IN LIGHT
OF THE JUNE 6, 2014 HEARING ON MOTION TO TRANSFER VENUE TO THE
CENTRAL DISTRICT OF CALIFORNIA**

Having considered the 4 Defendants' *Ex Parte* Application to set a briefing schedule on Plaintiff's motion to dismiss counterclaims [Dkt No. 35], the supporting declarations and evidence offered in support thereof, the argument of counsel, and all other matters properly before the Court, and for good cause appearing:

It is **HEREBY ORDERED** that:

- If this case is transferred to the Central District of California: Plaintiff's motion to dismiss Defendants' Counterclaims [Dkt No. 35] is taken off calendar and transferred to the Central District.
- If this case is not transferred to the Central District of California: then the following briefing schedule shall be in effect:
 - Defendants' Opposition to Plaintiff's motion to dismiss or Defendants' Amended Counterclaims: Shall be filed and served within 7 days of the Court's decision denying transfer to the Central District of California.
 - Plaintiff's Reply in support of motion to dismiss (if necessary): Shall be filed and served within 7 days of the Defendants' Opposition.
 - The hearing (if necessary) on Plaintiff's motion to dismiss [Dkt No. 35] shall remain on July 18, 2014.

Dated: _____

By:

Hon. Edward J. Davila
U.S. District Court Judge